

AO 440 (Rev. 04/08) Civil Summons

## UNITED STATES DISTRICT COURT

for the

Northern District of California

E-filing

Board of Trustees for the UFCW – Local 870 Northern  
California Employers Joint Pension Fund

Plaintiff

v.

Neldam's Danish Bakery, Inc.

Defendant

Civil Action No.

CV 08

3902

JCS

## Summons in a Civil Action

To: (Defendant's name and address)

Neldam's Danish Bakery, Inc.  
3401 Telegraph Avenue  
Oakland, CA 94609

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

SEYFARTH SHAW LLP  
Mitchel D. Whitehead (SBN 82943)  
mwhitehead@seyfarth.com  
2029 Century Park East, Suite 3300  
Los Angeles, CA 90067-3063  
Telephone: (310) 277-7200  
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San Francisco, CA 94105  
Telephone: (415) 397-2823  
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If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: AUG 15 2008

Richard W. Wieking

Name of clerk of court

Helen L. Almacen

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)